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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Philadelphia Indemnity Insurance Company,

No. CV-18-02673-PHX-DMF

10 Plaintiff,

ORDER

11 v.

12 A National Solutions Incorporated, et al.,

13 Defendants.
14

15 Plaintiff Philadelphia Indemnity Insurance Company (“Philadelphia”) has filed an
16 interpleader complaint under 28 U.S.C. §1335 to address the distribution of a surety bond
17 (Doc. 1). Philadelphia now asks the Court to permit service under Arizona Rule of Civil
18 Procedure 4.2(c) (Doc. 10). This would “dispense with the waiver [of service] predicate
19 and allow Philadelphia to serve the defendants” by mailing the appropriate documents by
20 first-class mail with return receipt requested (Doc. 10 at 7). The Court will deny this
21 request and will require Philadelphia to attempt to obtain waivers of service from the
22 Defendants before adopting the return receipt requested procedure outlined in Ariz. R.
23 Civ. P. 4.2(c). Adopting Philadelphia’s proposed procedure could permit default
24 judgment against an interested defendant who may attempt to set aside default after all of
25 the bond proceeds have been distributed.

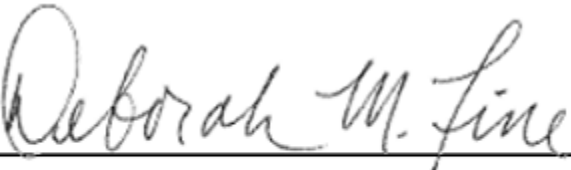
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1 **IT IS THEREFORE ORDERED** denying Plaintiff's Motion to Approve Service
2 of Process Pursuant to Ariz. R. Civ. P. 4.2(c) (Doc. 10).

3 Dated this 30th day of August, 2018.

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8 _____
9 Honorable Deborah M. Fine
10 United States Magistrate Judge
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